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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/791,029	03/02/2004	Jay S. Walker	03-013	1254
22927	7590	06/12/2006		
WALKER DIGITAL 2 HIGH RIDGE PARK STAMFORD, CT 06905			EXAMINER KARKHANIS, AASHISH	
			ART UNIT	PAPER NUMBER
			3714	

DATE MAILED: 06/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/791,029

Applicant(s)

WALKER ET AL.

Examiner

Aashish Karkhanis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,4,6-12,15,17-23,26 and 28-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4,6-12,15,17-23,26 and 28-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1, 4, 6 – 12, 15, 17 – 23, 26 and 28 – 35 are rejected under 35

U.S.C. 102(b) as being anticipated by Bennett et al. (U.S. Patent Application Publication 2003/0001338 A1).

Regarding Claims 1, 4, 12, 15 and 35, Bennett discloses a slot machine including a processor which may execute instructions (para. 0005; where a processor may be control means), a first display coupled to the processor and operable to display a non-linear outcome including a set of reel positions that are disposed along a line that is not straight or a payline that is not linear, each payline including at least one symbol (para. 0046; where many types and shapes of paylines used in reel games including linear and non-linear paylines are well known in the art) a second display coupled to the processor and operable to display a representation of the nonlinear outcome as a linear outcome such that the set of reel positions is each displayed disposed along a straight line without crossing any other displayed line of reel positions, and a wherein the set of symbols of each the linear outcome includes at least one symbol from the set of reel position of the non-linear outcome (fig. 7; fig. 8; fig. 9, elem. 52; where an outcome achievable on any generic payline is shown on a secondary display in a linear fashion).

Regarding Claims 23 and 26, Bennett discloses a supplemental display for a slot machine having a display screen operable to display a non-linear outcome that includes an outcome displayed along a non-linear payline (fig. 7; fig. 8; fig. 9, elem. 52; where an outcome achievable on any generic payline is shown on a secondary display in a linear fashion) including an interface for communicating with a slot machine (para. 0029) and a display screen coupled to the interface, wherein when a display of the slot machine displays a non-linear outcome including a set of reel positions disposed along a non-linear payline (para. 0046; where many types and shapes of paylines used in reel games including linear and non-linear paylines are well known in the art), a display screen of the supplemental display is operable to display a representation of the non-linear outcome as a linear outcome such that the set of reel positions is displayed disposed along a straight line without crossing any other displayed line of reel positions (fig. 7; fig. 8; fig. 9, elem. 52; where an outcome achievable on any generic payline is shown on a secondary display in a linear fashion).

Regarding Claims 6 – 11, 17 – 22 and 28 – 34, Bennett discloses a slot machine wherein the first display displays a plurality of outcomes one of which is the non-linear outcome (para. 0046; where a reel game with non-linear result paylines is played as is well known in the art) and the second display further displays an indication of which outcomes are winning outcomes (para. 0041; where winning combinations are displayed), which outcomes are non-winning outcomes (para. 0045; where a near-miss is shown as a non-winning outcome), displays an indication of outcomes upon which a wager was placed (para. 0028), displays an indication or a payout amount per each

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outcome that would have been won had a wager been placed upon each outcome (fig. 9, elem. 52; where a paytable showing possible prizes for a number of outcomes is shown), only displays winning outcomes, displays winning outcomes separately from non-winning outcomes (para. 0041; where winning outcomes are shown during a winning sequence).

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1, 4, 6 – 12, 15, 17 – 23, 26 and 28 – 35 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 5,286,023: Gaming system with outcome display.

U.S. Patent 5,997,401: Reel Game with Symbol Save.

U.S. Patent 6,039,648: Tournament Gaming system with different rules sets.

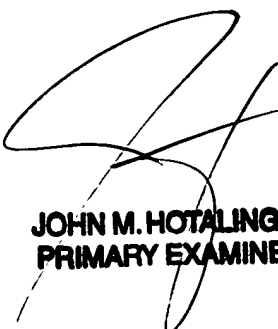
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aashish Karkhanis whose telephone number is (571) 272-2774. The examiner can normally be reached on 0800-1630 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (571) 272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ARK



**JOHN M. HOTALING, II**  
**PRIMARY EXAMINER**